



Indian Affairs - Office of Public Affairs

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For Immediate Release: March 19, 1965

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Indians, Aleuts and Eskimos who are qualified under the 1906 Alaska Native Allotment Act will find it easier and quicker to obtain land allotments up to 160 acres under liberalized regulations announced today by Secretary of the Interior Stewart L. Udall.

He said the new regulations--which recognize that the Natives' mode of life, the Alaska climate and the character of the land are all different from conditions on the homestead States of the West--are in effect a return to the interpretation of the statute regarding use and occupancy of the land in effect prior to 1930.

Since 1906, when the Act was passed, only slightly more than 100 grants of title have been made. Until 1930, a qualified Native had no difficulty in obtaining an allotment if he had used the land as a fishing campsite, hunting or trapping cabin, or for caches, corrals or other seasonal but regular purposes. Hunting, fishing and berry-gathering were also considered as qualifying uses. It was not necessary that permanent improvements be placed on the land, or that it be cultivated.

In 1930, however, interpretation of the 1906 Act changed and the Department's Bureau of Land Management began judging applications for Native allotments on the basis of whether the applicant resided on or cultivated the land. Secretary Udall said that as a result, applications justified by occupation and use of the lands consistent with native life and character of the land and climate, have frequently been rejected because of lack of satisfactory evidence of occupancy as required in the contiguous public land States.

Under Secretary of the Interior John A. Carver, Jr., made an examination of the matter in Alaska and reported to Secretary Udall that more than 800 applications were in the process of being filed, and that a return to the more liberal interpretation was needed to protect the Natives' rights from the rapid encroachment of civilization and competition for the land and its resources.

The 1906 Act did not prescribe what use the Native applicant must make of the land, nor specify that use and occupancy could be shown only by improvements or cultivation, nor require the applicant to state the purpose for which he needs the land.

Secretary Udall said that State officials endorse the desirability of generosity toward the Natives, even though the State is also planning large-scale selection of lands under the Alaska Statehood Act.

The new regulations provide for allotments in regularly shaped lots, not necessarily contiguous, up to the maximum of 160 acres. Secretary Udall said BLM's record keeping will be simplified by avoiding the irregular boundaries of allotments whose size and shape was controlled by the former method of determining proper use and occupancy.

The 1906 Act permits the Secretary to approve allotments to any Indian, Aleut or Eskimo of full or mixed blood who resides in and is a native of Alaska, and who is the head of a family, or is 21 years of age.

The new regulations are effective upon publication in the Federal Register.

<https://www.bia.gov/as-ia/opa/online-press-release/new-regulations-smooth-path-alaska-natives-obtain-land-allotments>